



सत्यमेव जयते

झारखण्ड गजट

असाधारण अंक

झारखण्ड सरकार द्वारा प्रकाशित

संख्या- 602 राँची, सोमवार, 6 भाद्र, 1938 (श०)
28 अगस्त, 2017 (ई०)

उद्योग, खान एवं भूतत्व विभाग

संकल्प

18 अगस्त, 2017

विषय: झारखण्ड औद्योगिक आधारभूत संरचना विकास निगम लि० (जिडको) को झारखण्ड केन्द्रीय निरीक्षण एजेंसी (Jharkhand Central Inspection Agency) के लिए नामित करने की स्वीकृति के सम्बन्ध में ।

संख्या - सि०वि०सि०/ Jharkhand Central Inspection Agency/24-2017 (खण्ड Iv)-SWS/675--
झारखण्ड सरकार द्वारा राज्य के विकास को गति प्रदान करने हेतु Jharkhand Single Window Clearance Act-2015 बनाई गई ताकि इस राज्य में स्थापित होने वाले औद्योगिक इकाइयों को सरकार की ओर से विभिन्न प्रोत्साहन एवं सुविधायें प्रदान किया जा सके ।

2. Jharkhand Single Window Clearance Act-2015 की कंडिका-21 में औद्योगिक इकाइयों का किये जाने वाले निरीक्षणों का सरलीकरण के सम्बन्ध में प्रावधान किया गया है । साथ ही साथ Department of Industrial Policy and Promotion, Govt. of India द्वारा Ease of doing business के

अन्तर्गत प्राप्त परामर्श के आलोक में झारखण्ड औद्योगिक आधारभूत संरचना विकास निगम लिमिटेड (JIIDCO) को झारखण्ड केन्द्रीय निरीक्षण एजेंसी (Jharkhand Central Inspection Agency, JCIA) के लिए नामित किया गया है, जिसका दायित्व निम्नवत् है:

- I. जिडको Single Window Clearance Committee & Inspection Planning Group को सचिवीय सहयोग उपलब्ध करायेगी ।
 - II. जिडको Central Inspection हेतु वित्तीय प्रावधान उपलब्ध कराने हेतु बजट तैयार करेगी ताकि उद्योग, खान एवं भूतत्व विभाग को उपलब्ध कराया जा सके ।
 - III. JIIDCO औद्योगिक इकाइयों के जाँच प्रक्रिया के समन्वय हेतु ऑनलाईन सिस्टम विकसित करेगी ।
 - IV. Single Window Clearance Committee के आवश्यकतानुसार समय-समय पर आधारभूत संरचना, दायित्व एवं कार्यान्वयन की व्यवस्था जिडको के द्वारा किया जाएगा ।
3. उक्त दायित्वों के अनुपालन हेतु सचिव, उद्योग, खान एवं भूतत्व विभाग, झारखण्ड, राँची की अध्यक्षता में Single Window Clearance Committee का स्वरूप निम्नवत् है:-

- | | |
|--|--------------|
| I. प्रधान सचिव/सचिव, उद्योग, खान एवं भूतत्व विभाग | - अध्यक्ष |
| II. प्रधान सचिव/सचिव, योजना-सह-वित्त विभाग | - सदस्य |
| III. प्रधान सचिव/सचिव, राजस्व, निबंधन एवं भूमि सुधार विभाग | - सदस्य |
| IV. प्रधान सचिव/सचिव, नगर विकास एवं आवास विभाग | - सदस्य |
| V. प्रधान सचिव/सचिव, श्रम नियोजन एवं प्रशिक्षण विभाग | - सदस्य |
| VI. प्रधान सचिव/सचिव, वन, पर्यावरण एवं मौसम विभाग | - सदस्य |
| VII. प्रधान सचिव/सचिव, ऊर्जा विभाग | - सदस्य |
| VIII. प्रधान सचिव/सचिव, जल संसाधन विभाग | - सदस्य |
| IX. सदस्य सचिव, झारखण्ड राज्य प्रदूषण नियंत्रण पर्वद | - सदस्य |
| X. निदेशक, उद्योग | - सदस्य सचिव |

Single Window Clearance Committee की बैठक में प्रधान सचिव/सचिव द्वारा स्वयं भाग लिया जाना है अथवा अपने विभाग के Nodal Officer/ Secondment Officer को भाग लेने हेतु प्राधिकृत किया जाना है ।

4. Central Inspection हेतु Single Window Clearance Committee का कार्य निम्नवत् है-

- i. Design and standardize checklists and procedures.

- ii. Publish information and updates regarding protocols, parameters and other aspects of the synchronized inspection
- iii. Receive requests for inspection from firms
- iv. Schedule and coordinate synchronized inspections
- v. Ensure timely submission of inspection reports
- vi. Follow-up with departments for timely dissemination of inspection results
- vii. Receive feedback from industry and take up initiatives for continuous improvement of the process from the feedback
- viii. Capacity and infrastructure building
- ix. Institute policy for empanelment of third-party inspection agencies
- x. Establish modalities for third party inspection and self-certification
- xi. Establish modalities for surprise inspections and resource allocation
- xii. Develop a risk categorization framework
- xiii. Development and maintenance of IT framework for Centralized Inspection Modalities
- xiv. Define function and responsibilities of inspection planning group and regularly review its functioning

5. Single Window Clearance Committee के अंतर्गत एक Inspection Planning Group है, जिसके द्वारा संयुक्त जाँच हेतु योजना तैयार किया जाना है। Inspection Planning Group की प्रशासनिक व्यवस्था निम्नरूपेण है:-

- | | |
|---|--------------|
| I. प्रबंध निदेशक, जिडको | - अध्यक्ष |
| II. संयुक्त श्रमायुक्त, श्रम नियोजन एवं प्रशिक्षण विभाग | - सदस्य |
| III. मुख्य कारखाना निरीक्षक, श्रम नियोजन एवं प्रशिक्षण विभाग | - सदस्य |
| IV. मुख्य वाष्पिक निरीक्षक, श्रम नियोजन एवं प्रशिक्षण विभाग | - सदस्य |
| V. मुख्य विद्युत निरीक्षक, ऊर्जा विभाग | - सदस्य |
| VI. नियंत्रक, विधिक माप विज्ञान, खाद्य एवं सार्वजनिक वितरण एवं उपभोक्ता विभाग | - सदस्य |
| VII. वरीय पर्यावरण अभियंता, झारखण्ड राज्य प्रदूषण नियंत्रण बोर्ड | - सदस्य |
| VIII. सचिव, झारखण्ड औद्योगिक क्षेत्र विकास प्राधिकार | - सदस्य |
| IX. अग्निशमन पदाधिकारी, महानिदेशक का कार्यालय, अग्निशमन सेवा | - सदस्य |
| X. महाप्रबंधक, झारखण्ड औद्योगिक आधारभूत संरचना विकास निगम लिमिटेड | - सदस्य सचिव |

6. औद्योगिक इकाइयों के Post Operation Central Inspection हेतु Inspection Planning Group (IPG) का कार्य निम्न रूपेण है-

- i. The Inspection Planning Group (IPG) shall have the database of all facilities, including basic information like the geographical location, sector, and compliance history, as well as information specific to the area of inspection.
- ii. IPG shall ensure that the central inspection process be optimized that the resources are allocated to enterprises based on the identified risk profile.
- iii. Assist in designing and standardizing checklists and inspection procedures.
- iv. Recommend improvements in protocols, parameters and other aspects of the synchronized inspection process.
- v. Facilitate communication of inspection requests and synchronization of inspections.
- vi. Respond to escalations related to submission of inspection reports.
- vii. Facilitate appointment and training of inspectors.
- viii. Recommend policy amendments for empanelment of third party inspection providers.
- ix. Oversee third party inspection and self-certification processes.
- x. Keep track of surprise inspections.
- xi. Streamlining of risk categorization methodology.
- xii. Maintenance and upkeep of the IT framework for Central Inspection System modalities.

7. स्वीकृति प्राप्त Central Inspection Framework for Industrial Enterprises अनुलग्नक -1 के रूप में संलग्न है ।

8. Jharkhand Central Inspection Agency के संचालन हेतु उद्योग, खान एवं भूतत्व विभाग, झारखण्ड, राँची द्वारा आवश्यक अनुदान उपलब्ध कराया जाना है ।

9. उक्त प्रस्ताव पर राज्य मंत्रिपरिषद् की 18 अगस्त, 2017 को आयोजित बैठक में मद् संख्या 09 के रूप में स्वीकृति प्रदान की गई है ।

झारखण्ड राज्यपाल के आदेश से,

सुनील कुमार वर्णवाल
सरकार के सचिव ।

1.0 Context

A typical business is required to go through multiple inspection sessions pertaining to grant or renewal of licenses or other compliances. The licenses a commercial establishment needs to start or continue its operations are spread across various departments and governed by different rules that require the businesses to conform to different specifications. When the time comes for obtaining a new license or renewal of an existing license, the firms in question are bombarded by inspections from the various departments at different points of time. There is also little clarity about the duration of the complete process from application to inspection to final grant or rejection.

Inspections are an area where businesses complain of lack of objectivity, coordination, communication and redundancy. This is one area where huge steps can be taken to improve or completely re-imagine the process to make it more investor friendly and remove hurdles so that employees can focus on the business. The agenda put forth by the Department of Industrial Policy and Promotion through the initiative for “Ease of Doing Business” envisions such a process.

2.0 Key elements of the Central Inspection Framework

Following are some important benefits of the Framework:

- a. A central inspection agency will streamline the inspection procedures in the States/UTs
- b. It will ensure timely and synchronised inspections between various departments
- c. It will bring clarity in inspections, its frequency and reduce duplications
- d. It will improve cooperation and coordination between inspection authorities
- e. It will enable Unified review of information about past inspections, schedules of controls, registries of controls, and compliance with Inspection Laws
- f. It will eliminate the regulatory uncertainty that generates an inspection.
- g. It will improve implementation practices, increase compliance and reduce the budgetary costs to governments.

In this context, inspections refer to periodic compliance inspections under various rules.

3.0 Jharkhand Central Inspection Agency

Government of Jharkhand nominated Jharkhand Industrial Infrastructure Development Corporation (JIIDCO) as nodal agency for the purpose of overseeing development and operation of integrated and shared inspection process for business establishments. In this context, functions of Jharkhand Industrial Infrastructure Development Corporation (JIIDCO), nodal agency are defined as follows:

3.1 JIIDCO shall give the secretarial support for Single Window Clearance Committee (SWCC) and Inspection Planning Group (IPG)

3.2 JIIDCO shall provide manpower and necessary support for the SWCC and IPG

3.3 JIIDCO shall prepare budget for Jharkhand Central Inspection Agency (JCIA) and get as a grant from Department of Industries, Mines & Geology for proper functioning

3.4 JIIDCO shall develop online system for coordination of inspection process for industrial enterprises

3.5 JIIDCO shall provide resources, discharge functions and responsibilities as directed by the SWCC from time-to-time

4.0 Administrative Mechanism

The Government of Jharkhand through Notification no.3684, dated 03.12.2015 has established the Single Window Clearance Committee (SWCC) under the Principal Secretary/ Secretary, Department of Industries with the following structure:

	Member	Designation
a	Principal Secretary/ Secretary to Government, Department of Industry	Chief Executive Officer
b	Principal Secretary/ Secretary to Government, Department Finance cum Planning	Member
c	Principal Secretary/ Secretary to Government, Department of Revenue, Registration and Land Reforms	Member
d	Principal Secretary/ Secretary to Government, Urban Development and Housing Department (UDHD)	Member
e	Principal Secretary/ Secretary to Government, Department of Labour, Employment and Training	Member
f	Principal Secretary, Department of Forest, Environment and Climate Change	Member
g	Principal Secretary/ Secretary, Department of Energy	Member
h	Principal Secretary/ Secretary, Department of Water Resources	Member
i	Principal Secretary/ Secretary, Department of Mines and Geology	Member
j	Chairman, Jharkhand State Pollution Control Board (JSPCB)	Member
k	Director of Industries	Member-Convener

4.1 Functions of Single Window Clearance Committee under the Central Inspection Framework for Industrial Enterprises:

- i. Design and standardize checklists and procedures
- ii. Publish information and updates regarding protocols, parameters and other aspects of the synchronized inspection (department-wise applicable acts are detailed in Appendix-I)
- iii. Receive requests for inspection from firms
- iv. Coordinate synchronized inspections
- v. Ensure timely submission of inspection reports
- vi. Follow-up with departments for timely dissemination of inspection results
- vii. Receive feedback from industry and take up initiatives for continuous improvement of the process from the feedback
- viii. Capacity and infrastructure building
- ix. Institute policy for empanelment of third-party inspection agencies
- x. Establish modalities for third party inspection and self-certification
- xi. Establish modalities for surprise inspections and resource allocation
- xii. Develop a risk categorization framework
- xiii. Development and maintenance of IT framework for Centralized Inspection Modalities
- xiv. Define functions and responsibilities of the Inspection Planning Group (IPG) and regularly review its functioning.

5.0 Operational Framework

Synchronised Composite Inspection framework has been evolved to schedule inspections that will draw inspectors from JSPCB, Department of Labour, Employment and Training, Department of Fire Services, Electrical Inspectorate, Weights & Measures division and Jharkhand Industrial Area Development Authority (JIADA) in each district, listing out all the establishments in the district and the schedule of inspection for the Industrial establishments by a specific Inspector. Central inspection plan is being created to reflect the priorities and lay down the framework for resource allocation. The annual plan shall define the inspectorate's directions and priorities for the year, while the monthly/weekly plans shall outline the activities needed to achieve the strategic goals and objectives. Every inspection shall be held so as to cover all the necessary statutes applicable to that establishment (applicable under JSPCB, Department of Labour, Employment and Training, JIADA) to avoid any duplication of visits.

In the current context, an Inspection Planning Group (IPG) is established at the central level. The composition of Inspection Planning Group (IPG) is as follows:

Managing Director, JIIDCO	Chairman
Joint Commissioner, Department of Labour, Employment and Training	Member
Chief Inspector of Factories	Member
Chief Inspector of Boilers	Member
Chief Electrical Inspector	Member
Controller, Legal Metrology	Member
Senior Environmental Engineer, JSPCB	Member
Secretary, JIADA	Member
Fire Officer, Office of Director General, Fire Services	Member
General Manager, JIIDCO	Member Convener

5.1 Functions of Inspection Planning Group (IPG):

- i. The Inspection Planning Group (IPG) shall have the database of all facilities, including basic information like the geographical location, sector, and compliance history, as well as information specific to the area of inspection.
- ii. IPG shall ensure that the central inspection process be optimized that the resources are allocated to enterprises based on the identified risk profile.
- iii. Assist in designing and standardizing checklists and inspection procedures
- iv. Recommend improvements in protocols, parameters and other aspects of the synchronized inspection process
- v. Facilitate communication of inspection requests and synchronization of inspections
- vi. Respond to escalations related to submission of inspection reports
- vii. Facilitate appointment and training of inspectors
- viii. Recommend policy amendments for empanelment of third party inspection providers
- ix. Oversee third party inspection and self-certification processes
- x. Keep track of surprise inspections
- xi. Streamlining of risk categorization methodology

xii. Maintenance and upkeep of the IT framework for Central Inspection System modalities

An IT framework shall be established to allow complete data sharing between all participating departments, inspections reports generation and management, mobile/email access, automated scheduling of inspections and work schedules of inspectors.

Comprehensive check lists and formats for inspections have been developed and notified (**Notifications listed in Appendix-II**) to ensure reduction in paperwork formalities and increase consistency between inspectors. The State Level Nodal Agency (JIIDCO) is in the process of developing on-line system to plan and schedule the synchronized inspections based on risk criteria. The system shall further assign inspections automatically and shall allow on-line filing of inspection reports and generation of reports, if needed. It shall also support mobile and email alerts.

6.0 Risk Based Inspection Procedure for Various Departments

Risk based inspection tool, where resources are focused on those enterprises carrying a higher risk to the public is being developed for Department of Labour, Employment and Training, Jharkhand Industrial Area Development Authority and Jharkhand State Pollution Control Board. This risk-based inspection tool (as amended from time to time) shall form the basis to prioritize and determine the frequency of visits for each Industrial establishment, which shall form part of annual inspection plans and detailed visit schedules.

6.1 Risk Based Inspection by Department of Labour, Employment and Training

6.1.1 Guidelines for classification for Routine Inspections

The Department of Labour, Employment and Training has defined the classification of business establishments vide notification no. 2082, dated 02.12.2015.

- (i) Any firm with less than 10 workers, satisfactory compliance history and annual returns filing are exempted from inspections
- (ii) Any firm with approved self-certification scheme is subjected to planned inspection every 5 years
- (iii) The remaining are classified as per the following:

S.No	Parameter	Risk Category
1	Total Man Power & Energy Consumed per day in HP	
(i)	Less than 10 Workers “and” Less than 250 HP	Low

(ii)	Equal to or above 10 but less than 150 Workers "or" Equal to or above 250 HP but less than 1000 HP	Medium
(iii)	Equal to or above 150 Workers "or" Equal to or above 1000 HP	High
2	Major Accident Hazard (MAH) Unit	High
3	Hazardous Process Industries (Section 2cb)	High
4	Dangerous Process Industries (Section 87, Rule 95)	High

6.1.2 Guidelines for Mandatory Inspections

Irrespective of the above any accident or complaint will attract mandatory inspections.

6.2 Risk Based Inspection by Jharkhand State Pollution Control Board

Notification No. B-06 dated June 6, 2016 released by Jharkhand State Pollution Control Board for Risk based inspection and computerized allocation of inspectors under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 will be done as follows:

The Regular inspection of Red, Orange-high risk and Orange-Low risk industries shall be conducted at an interval of 2 years, 3 years and 5 years respectively. For Green category, inspection shall be done once in 15 years. Date of Inspection shall be calculated from the last inspection done.

List of establishments to be inspected shall be based on computerized risk assessment. The establishment with a higher score shall be inspected first. Following are the parameters for **regular inspection**:

Parameter	Weightage
Red Category	0.40
Orange High-risk category	0.30
Orange Low-risk category	0.20
Green Category	0.10
Previous Non-compliance	0.40
Previous Partial Compliance	0.20

Previous Full Compliance	0.0
Time Lapsed- 0 to 15 days	0.05
Time Lapsed- 16 to 30 days	0.10
Time Lapsed- 31 to 45 days	0.15
Time Lapsed- 46 days and above	0.20

For New Registration, following shall be the risk parameters:

Parameter	Weightage
Red Category	0.40
Orange High-risk category	0.30
Orange Low-risk category	0.20
Green Category	0.10
Time Lapsed- 0 to 15 days	0.05
Time Lapsed- 16 to 30 days	0.10
Time Lapsed- 31 to 45 days	0.15
Time Lapsed- 46 days and above	0.20

The establishments are categorized in to High, Medium and Low risk as follows:

Risk Type	Range
High Risk	0.7 to 1.0
Medium Risk	0.4 to 0.65
Low Risk	0.0 to 0.35

6.3 Inspection Process- Schedule and Allocation of Inspectors

The Schedule of Inspection shall be formulated through an online system monitored by IPG in consultations with the field officers and respective line departments. The visits shall be conducted by the respective inspectorate with the help of a tool kit with shall have the relevant processes, standard operating procedures, forms and checklists; and guidelines for communication between the central and field offices. The processes will also cover behavioural aspects, as well as the procedural or technical aspects of an inspection, which can also be governed by a statute or government regulation. It shall be ensured that the final reports are furnished within 24 hours of inspection and in future, efforts shall be made for real-time submission of reports through custom mobile applications. Surprise inspection shall be approved/conducted by IPG only based on complaints received with specific permission from the Head of Department. Sample online formats generated for allocation of inspectors and compliance for joint inspection will be as per approval of SWCC. This shall be generated on random basis through a computerized system keeping their jurisdiction (wherever applicable) as the base parameter.

6.4 Third Party Certification

The “third party certification” shall be encouraged for services pertaining to factories and boilers, electricity, building plans, testing, etc. Renewal of consents from JSPCB (for certain categories) may also be modeled on the lines of accredited agencies of MoEF (for EIA studies). The certifiers/ assessors/ agencies need to be accredited (by are putted accreditation body attesting their technical capacity) for each particular type of assessment separately and approved by the department. The assessor/ certifier shall be made liable for assessments and compliance.

6.5 Capacity Building

Capacity Building of inspectors and inspectorates may be improved by professional training for improving their skill sets. Cross-training of inspectors for different inspections may be done to optimize the use of resources, in other words, one department inspectors may be trained with other department inspection procedures to conduct the inspection of two or more departments wherever possible considering the educational qualifications and other statutory requirements.

7.0 Power to remove difficulties

(1) If any difficulty arises in giving effect to any of the provisions of this Framework, the State Government may, on recommendation of SWCC, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Framework, as may appear to be necessary for removing the difficulty.

Appendix-I

Department-wise List of Acts & Rules Applicable for Central Inspection Framework

1. Department of Labour, Employment & Training
 - a. The Equal Remuneration Act, 1976 and Rules
 - b. The Factories Act, 1948 and Rules
 - c. The Maternity Benefit Act, 1961 and Rules
 - d. The Minimum Wages Act, 1948 and Rules
 - e. The Jharkhand Shops & Establishments Act, 1953 and Rules
 - f. The Payment of Bonus Act, 1965 and Rules
 - g. The Payment of Wages Act, 1936 and Rules
 - h. The Payment of Gratuity Act, 1972 and Rules
 - i. The Contract Labour (Regulation and Abolition) Act, 1970 and Rules
 - j. The Boilers Act, 1923 and Indian Boiler Regulations, 1950
2. Jharkhand State Pollution Control Board
 - a. The Water (Prevention and Control of Pollution) Act, 1974
 - b. The Air (Prevention and Control of Pollution) Act, 1981
3. Jharkhand Industrial Area Development Authority
 - a. Jharkhand Building Bye-Laws 2016
 - b. Jharkhand Industrial Area Development Authority Act 2001 and Rules 2001
4. Director General, Fire Services
 - a. National Building Code of India (Fire and Life Safety)
5. Department of Energy
 - a. The Indian Electricity Act, 1910 and Rules of 1956
6. Department of Food, Public Distribution and Consumer Affairs
 - a. The Legal Metrology Act, 2009
 - b. The Jharkhand Legal Metrology (enforcement) Rules, 2011

Appendix-II

Checklists and Composite Inspection Format

1. Department of Labour, Employment and Training

- a. The provisions of notification no.2081, dated 02.12.2015 for joint inspection under various acts as listed in Section 1 of Appendix-I and modification thereof issued by Department of Labour, Employment and Training shall be used by the inspection team.
- b. The provisions of notification no.948, dated 28.05.2015 and notification no.762, dated 02.05.2016 for Labour Manual detailing the procedure for inspection and modification thereof issued by Department of Labour, Employment and Training shall be used by the inspection team.

2. Jharkhand State Pollution Control Board (JSPCB)

- a. The provisions U/S 25 & 26 of Water (Prevention and Control of Pollution) Act, 1974; U/S 21 of Air (Prevention and Control of Pollution) Act, 1981 for NOC Checklist and modifications thereof issued by JSPCB shall be used by the inspection team.

3. Director General, Fire Services

- a. For Fire NOC, The provisions under the National Building Code of India (Fire and Life Safety) detailing checklist for fire NOC depending upon the type of building and modification thereof shall be used by inspection team.

4. Department of Energy

- a. The provisions under The Indian Electricity Act of 1910 and Rules of 1956 for checklist and modifications thereof shall be used by the inspection team.

5. Department of Food, Public Distribution and Consumer Affairs

- a. The provisions under The Legal Metrology Act of 2009 and Jharkhand Legal Metrology (enforcement) Rules of 2011 for checklist and modifications thereof shall be used by the inspection team.

Any amendments in the above shall reflect in the Central Inspection Framework as per applicability.

Sunil Kumar Barnwal
Secretary to the Government
